



5

Docket No.: E3331.0586/P586  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Michael Togher et al.

Application No.: 10/665,141

Filed: September 22, 2003

Art Unit: N/A

For: CREDIT MANAGEMENT FOR  
ELECTRONIC BROKERAGE SYSTEM

Examiner: Not Yet Assigned

PETITION TO MAKE SPECIAL  
UNDER 37 CFR 1.102(d)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith is a Petition to Make Special the above-identified patent application. This application is a divisional of U.S. Application No. 09/563,461, filed May 2, 2000 and presents claims directed to the subject matter of non-elected Group I, as defined by the Examiner in the parent application.

Although the Examiner of the parent indicated that these claims belong to a single group, should it be determined that all claims presented are not directed to a single invention, the undersigned, acting for the Applicants, will make an election without traverse, following telephone restriction practice.

11/13/2003 EFLORES 00000084 10665141

01 FC:1460

130.00 0P

In support of this Petition, applicants submit the following:

1. An Information Disclosure Statement listing at least each of the references cited herein has already been filed in this application, along with one copy each of the references most closely related to the subject matter encompassed by the claims and any others not already made of record in predecessor applications.
2. A search was performed of prior art cited in prior applications throughout the world. The search was performed among references classified in at least Class 705, subclass 37 and Class 364, subclass 408.
3. Of the references located in the search described above, or of record in predecessor applications, the following are deemed most relevant to the present application. Although these references have previously been made of record, as a courtesy, this paper is accompanied by duplicate copies of these patents.
4. U.S. Patent 5,136,501 to Silverman et al. shows a matching system for trading instruments. In the system, bids and offers are automatically matched to complete trades, if counterparty credit limits between potential parties to the transaction are satisfied.
6. U.S. Patent 4,674,044 to Kalmus et al. shows an automated trading system for one or more securities. The system matches the best buy and sell order as long as such match falls within certain qualification parameters.
7. U.S. Patent. 4,903,201 to Wagner shows a computerized exchange system for transacting sales of particular futures items. Bids and offers are made by members of the exchange and an exchange computer automatically matches offers and bids to complete a transaction. Each terminal is designated to trade a certain number of contracts. Position limits are determined by the fiduciary capabilities of the participant.

8. The prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 1. Specifically, none of the references, alone or in combination, teach or suggest the centralized quote distribution system sending dealable price quotation messages to the trading floors, each trading floor being sent dealable price quotation messages which have been prescreened for credit and represent bids and/or offers that originate from one or more credit bearing counter-parties of that trading floor, as recited in independent claim 1.

9. Further, the prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 45. Specifically, none of the references, alone or in combination, teach or suggest the centralized quote distribution system sending dealable price quotation messages, prescreened for credit, to each trading floor indicating the best available bid and/or offer that originates from one or more credit bearing counter-parties of that trading floor, as recited in independent claim 45.

10. Moreover, the prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 46. Specifically, none of the references, alone or in combination, teach or suggest determining, at the centralized quote distribution system, which pairs of trading floors are credit bearing counter-parties which extend bilateral credit to one another and sending dealable price quotation messages from the centralized quote distribution system to the trading floors as a function thereof, each trading floor being sent dealable price quotation messages indicating bids and/or offers that originate from one or more credit bearing counter-parties of that trading floor, as recited in independent claim 46.

11. Moreover, the prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 47. Specifically, none of the references, alone or in combination, teach or suggest a centralized quote distribution system which determines which pairs of trading floors have bilateral credit with each other and

identifies such pairs of trading floors as credit bearing counter-parties, the centralized quote distribution system also sending information to the trading floors as a function thereof, as recited in independent claim 47.

12. Moreover, the prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 48. Specifically, none of the references, alone or in combination, teach or suggest the centralized quote distribution system determining which pairs of trading floors have bilateral credit and sending information to the trading floors as a function thereof, as recited in independent claim 48.

13. Moreover, the prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 49. Specifically, none of the references, alone or in combination, teach or suggest the taker screen informing the maker of the bid and/or offer that his bid and/or offer is capable of being accepted, as recited in independent claim 49.

14. Moreover, the prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 50. Specifically, none of the references, alone or in combination, teach or suggest displaying at each trading floor the best bid and/or offer that originates from one or more credit bearing counter-parties of that trading floor and permitting a trader to accept such best bid and/or offer, and that has been prescreened for credit, as recited in independent claim 50.

15. Moreover, the prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 52. Specifically, none of the references, alone or in combination, teach or suggest automatically prescreening maker quotation messages to determine whether credit preferences are met for both the maker and a prospective recipient of the maker quotation message located on another trading floor, the prescreening being conducted without any trading floor being informed of the credit

preferences of any other identified trading floor; displaying the prescreened maker quotation message to the recipient in a manner which indicates whether or not the credit preferences of both the maker and the recipient were met when the prescreen was conducted; and permitting the recipient to accept the bid and/or offer of the maker quotation message when the message is displayed in a manner indicating that the prescreen had determined that credit preferences of both maker and recipient were met, as recited in independent claim 52.

16. Moreover, the prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 53. Specifically, none of the references, alone or in combination, teach or suggest automatically prescreening maker quotation messages to determine whether credit preferences are met for both the maker and a prospective recipient of the maker quotation message located on another trading floor, the prescreening being conducted without any trading floor being informed of the credit preferences of any other identified trading floor; and displaying the prescreened maker quotation message to the recipient in a manner which indicates whether or not the credit preferences of both the maker and the recipient were met when the prescreen was conducted, as recited in independent claim 53.

17. Moreover, the prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 54. Specifically, none of the references, alone or in combination, teach or suggest automatically prescreening maker quotation messages to determine whether credit preferences are met for both the maker and a prospective recipient of the maker quotation message located at another trading floor, the prescreening being conducted without any trading floor being informed of the credit preferences of any other identified trading floor; displaying the prescreened maker quotation message to the recipient in a manner which indicates whether or not the credit preferences of both the maker and the recipient were met when the prescreen was conducted; and permitting the recipient to accept the bid and/or offer of the maker quotation message, when the

message is displayed in a manner indicating that the prescreen had determined that credit preferences of both maker and recipient were met, as recited in independent claim 54.

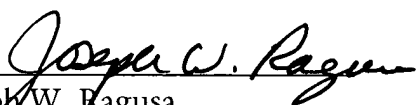
18. Moreover, the prior art, taken alone or in combination, does not teach or suggest, the unique combinations of elements recited in claim 55. Specifically, none of the references, alone or in combination, teach or suggest automatically prescreening maker quotation messages to determine whether credit preferences are met for both the maker and a prospective recipient of the maker quotation message located at another trading floor, the prescreening being conducted without any trading floor being informed of the credit preferences of any other identified trading floor; and displaying the prescreened maker quotation message to the recipient in a manner which indicates whether or not the credit preferences of both the maker and the recipient were met when the prescreen was conducted, as recited in independent claim 55.

19. Accordingly, applicants request that this Petition to Make Special be granted and the application undergo accelerated examination.

20. Please charge our Credit Card in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(h) or (i). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2215, under Order No. E3331.0586/P586. A duplicate copy of this paper is enclosed.

Dated: November 10, 2003

Respectfully submitted,

By   
Joseph W. Ragusa  
Registration No.: 38,586  
DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP  
1177 Avenue of the Americas  
41st Floor  
New York, New York 10036-2714  
(212) 835-1400  
Attorney for Applicant